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COMMITTEE ON THE ELIMINATION
OF DISCRIMINATION AGAINST
WOMEN

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Fourth periodic reports of States parties

NORWAY*

* For the initial report submitted by the Government of Norway, see CEDAW/C/5/Add.7, CEDAW/C/5/Add.7/Amend.1 and CEDAW/C/5/Add.7/Amend.1/Rev.1; for its consideration by the Committee, see CEDAW /C/SR.38 and CEDAW/C/SR.39, and Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 45 (A/39/45), paras. 277-338; for the second periodic report submitted by the Government of Norway, see CEDAW/C/13/Add.15; for its consideration by the Committee, see CEDAW/C/SR.175 and Official Records of the General Assembly, Forty-sixth Session, Supplement No. 38 (A/46/38), paras. 139-165; for the third periodic report submitted by the Government of Norway, see CEDAW/C/NOR/3.

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INTRODUCTION

Presentation of the report

The United Nations Convention on the Elimination of All Forms of Discrimination against Women was adopted on 18 December 1979 and ratified by Norway on 21 May 1981.

Norway's first report to CEDAW was submitted in 1982. The second report (the first periodic report) covered the period 1982-1986 and the third report (the second periodic report) covered the period 1987-1990. The present and fourth report describes the current situation and the changes that have taken place in the situation of women since the last report. It also provides a review of legislation and other measures that have been carried out to implement the Convention since the last report.

Areas where no changes have taken place in the actual or legal situation since the third report have not been discussed in detail in the present report and the reader is referred to the previous reports.

Efforts and policies to promote gender equality in the 1990s

The main goal of Norwegian gender equality policy is to ensure that women and men have the same rights, obligations and opportunities in all areas of society. This involves not only ensuring formal equality through legislation, but also implementing measures to ensure that equality exists in practice.

The instruments introduced to achieve this goal include equal treatment of the sexes with respect to basic rights and obligations, special measures for the least privileged sex during a transitional period, and a critical review of the organisation and use of resources in Norwegian society with a view to redistribution.

In certain areas of society, gender equality has made good progress. Active efforts by the authorities and by women's organisations, women's campaigns prior to elections, the introduction of a requirement that at least 40 per cent of each gender be represented on all official committees, boards, councils etc. and some quota arrangements in the main political parties have contributed towards ensuring that both genders are well represented in Norwegian political life - also at the highest levels. Efforts in the field of women and education have helped to ensure that women pursue all types of studies, and they now account for a majority of students in certain disciplines that were clearly dominated by men only a few years ago. Although most women continue to choose traditional studies, women therefore have a wider choice of career and are represented in most occupational fields.

In other areas, considerable challenges remain. Economic equality is a particularly important area. In terms of average personal income, men earn almost 85 per cent more than women, and men's average wage is almost twice as high as that of women. Traditional women's occupations are still low-paid. The average woman's wage is approximately 20 per cent lower than the average man's wage.

The lack of economic equality is closely related to the care provided by women and the limitations such responsibilities impose on women's opportunities on the labour market. Increasing equality in education and on the labour market have not led to similar equality in the home. Women continue to spend nearly twice as much time on housework as men, although the contribution made by men has increased somewhat in the last 20 years.

Although women have made considerable inroads in the field of politics and public administration, there are still disproportionately few women in leading positions in business and industry. At present, women hold approximately 23 per cent of all leading positions.

The Government's gender equality policies for the 1990s are focused on five main areas:

1. Gender equality is dependent upon enhancing women's opportunities on the labour market and increasing men's participation in child-care. Efforts are /.

therefore directed towards a gender equality-oriented child-care policy which gives women and men equal opportunities to combine family responsibilities and paid employment. Measures that have already been implemented in this area include longer paid maternity leave, a father's quota, and a "time account scheme" for the flexible use of maternity leave. Other measures that have been followed up and may promote the participation of women on the labour market include the increased provision of day-care centres and extracurricular activities for school-age children.

2. The second major area concerns eradicating inequalities in women's and men's pay. The goal of Norway's equal pay policy is to promote equal pay for work of equal value. The value of traditional women's occupations must be upgraded. The equalisation of women's and men's incomes is an important precondition for ensuring that women and men have equally good living standards and equal opportunities for self-realisation, both in working life and in retirement. Equal pay is also a necessary precondition for the improved division of responsibility for care in the home.

3. The third priority area concerns stronger efforts to counter the abuse of women and sexual violence. Up to now, efforts in this area have largely been directed towards disclosing and charting this phenomenon and providing assistance for the victims. Future efforts will also be directed towards the abusers, and towards preventive measures.

4. The fourth priority area for gender equality policy concerns the review and evaluation of gender equality policy instruments. The Norwegian Gender Equality Act (formerly referred to as the Equal Status Act) will be revised with a view to its becoming a more efficient tool for addressing current gender policy challenges. An official committee has also been appointed to review the organisation of the central gender equality apparatus.

5. The Government intends to promote the continued integration of gender equality in policy in both central and local government. In 1994, all ministries completed /...

the second of two programmes of action to underline the fact that public responsibility for gender equality applies to all areas of policy and government administration.

ARTICLES 1 - 5

The Gender Equality Act

The Gender Equality Act (formerly referred to as the Equal Status Act) is regarded as covering Part I, Articles 1 - 5 of the Convention. Norway's third report to CEDAW contained a detailed description of the Act. In the following, we shall therefore provide only a short summary of the purpose of the Act and how it has worked in practice, in addition to describing proposed amendments to the Act.

The Gender Equality Act was passed in 1978 and entered into force the following year. In 1981 a provision was added concerning the representation of both sexes on official committees etc.

The purpose of the Act is to promote equality between the sexes, and it is particularly intended to improve the position of women. Women and men must have equal opportunities for education, employment and cultural and professional development. The Act places a particular obligation on public authorities to promote gender equality in all areas of society.

How the Gender Equality Act has worked in practice

The Gender Equality Act has now been in force for 15 years. It has undoubtedly been an important precondition for the progress that has been made in the field of gender equality in Norway during this period. It has demonstrated the importance and priority given to efforts to achieve equality between the sexes, and has contributed towards gender equality becoming an accepted principle in Norwegian society.

Of the provisions that have proved to be important:

§ 21 relating to the representation of both sexes on official committees etc. deserves particular mention. The proportion of women on official committees etc. rose from 22 per cent in 1979 (i.e. two years before the provision entered into force) to 39 per cent in 1993.

§ 4 prohibits discrimination in connection with appointments etc. This provision has probably contributed towards the reduction in the number of discriminatory job advertisements.

§ 3 provides for preferential treatment of one gender when this promotes gender equality according to the intention of the Act. Central government authorities, municipalities, county authorities and the social partners have all made use of this provision to enter into agreements for moderate gender quotas when making appointments, i.e. under otherwise equal conditions, the underrepresented gender is preferred. Moderate quota systems are also practised in connection with certain types of educational courses and studies.

Relatively few cases concerning equal pay have been registered. This might indicate that the provision on equal pay (§ 5) gives limited guidance. The Gender Equality Ombud has, however, found that there is a reasonable chance of winning a claim for higher pay if the wage is found to be in contravention of the Act.

The enforcement of the Act through specialised bodies, the Gender Equality Ombud (who is responsible for ensuring that the Act is put into practice) and the Gender Equality Appeals Board (which decides cases pursuant to the Act) has proved to be sensible and effective. Cases are handled informally, rapidly, and without expense to the parties concerned. In this way, we have avoided the exacerbation of conflicts that might have taken place under the more formal, slow-moving judicial apparatus, and the "threshold" for taking initiatives to correct inequalities is lower.

Proposed amendments

In the report to the Storting No. 70 (1991-92), the Government proposed that the Act be amended on the following points.

1. The General Clause - § 3

The main provision of the Act is the General Clause, which prohibits discrimination between men and women. The Act applies to both formal and actual discrimination on grounds of gender.

However, gender equality is not achieved by merely prohibiting discrimination. In order to rectify existing differences between women's and men's opportunities for self-realisation and development, measures that give advantages to one gender in certain areas will be necessary for a certain period of time. The General Clause therefore allows for preferential treatment that promotes gender equality. Women have had the worst starting-point, and when the Act was passed, the preferential treatment of women was most relevant. In practice, the Act has therefore been understood to allow only preferential treatment for women.

The effort to achieve gender equality has made progress, however, and the actual situation for women and men has changed in several areas since the Act came into force 15 years ago. Women have entered traditionally male-dominated arenas. To a lesser extent, men have entered traditionally female-dominated arenas at work and in family life. Future efforts to promote gender equality must focus on the fact that equality also applies to men and requires changes in male roles.

The Government now wishes to amend the General Clause to allow for the preferential treatment of men applying for jobs in certain caring professions, such as day-care centres, primary and lower secondary schools and institutions for children and adolescents.

2. The provision relating to equal pay - § 5

The current provision lays down that employees must receive equal pay for work of equal value. It is therefore not only identical jobs that must be remunerated equally, but also jobs with apparent external differences, provided that they are comparable in terms of value. In this connection, all the factors that affect the evaluation of the job must be included; education, experience, responsibility, working conditions etc. Thereafter, an overall evaluation must be carried out on the basis of a discretionary comparison.

Under the current provision, however, the comparison is subject to certain limitations. A comparison may only be made between persons employed by the same enterprise, i.e. employees of the same employer. In practice, municipalities have been regarded as one enterprise. Secondly, in the travaux préparatoires to the Act it was presupposed that a comparison can only be made between work within the same professional area, or with large external similarities. Particularly the latter condition has reduced the effect of the provision on a relatively gender-segregated labour market.

The Government wishes to strengthen the effect of the Act on pay by amending § 5 in such a way that jobs may be compared across occupational boundaries, and by determining which factors are to be included in the evaluation.

3. The relationship between collective agreements and the Gender Equality Act - § 14

The Government also wishes to amend § 14 with a view to improving the implementation of the equal pay provision in collective agreements. At present, only the social partners may bring a case before the Industrial Disputes Court to test the validity of collective agreements under the law. It is necessary to strengthen the expertise of the Gender Equality Ombud in this area.

4. The representation of men and women on official committees etc. - § 21

The Gender Equality Act § 21 lays down that at least 40 per cent representation of each gender is mandatory on all official committees, boards, councils etc. having four or more members. Committees etc. elected by proportional representation are excepted.

§ 21 will be amended in line with the provisions of the new Local Government Act relating to gender representation. These provisions require at least 40 per cent representation for each gender, also on committees elected by proportional representation.

5. Changes in the gender equality apparatus - § 9

The Gender Equality Council was established in 1972. The Council consists of representatives of the largest political parties, the social partners and researchers on women/gender.

The Council's mandate is to promote gender equality in all areas of society. It must clarify and draw attention to conditions which prevent gender equality, function as a contact between public authorities, organisations and the general public, carry out studies and develop information materials on gender equality issues.

The Council has played a central role in official gender equality efforts, but has lost much of its original importance since gender equality policy has been adopted by established organisations and the bureaucracy, and the establishment of the Gender Equality Ombud.

In 1994, the Government appointed an official committee to review the gender equality apparatus. The Committee is to evaluate the suitability of the current responsibilities, organisation and composition of the Gender Equality Council and present proposals for alternative forms of organisation.

The incorporation of the United Nations Convention on Women

In 1993, an official committee presented a recommendation on the incorporation of international human rights conventions in Norwegian legislation. This might include the United Nations Convention on the Elimination of All Forms of Discrimination against Women. A final decision on the recommendation has not yet been made.

ARTICLE 6

In recent years there has been an increasing tendency to sell and commercialise the female body. The authorities have focused particularly on this problem.

Prostitution

The extent of prostitution in Norway is assumed to be relatively limited. Norway has a well-established national insurance scheme and social welfare system to prevent people from having to turn to prostitution or crime in order to support themselves and their families. Nevertheless, we assume that prostitution may have increased to a certain extent in recent years as a result of problems on the labour market and the fact that the international sex trade has also reached Norway, as may be seen, among other things, /...

from the increased number of foreign women prostitutes. The use of illegal drugs, debt problems and high expenditure due to other causes are all factors that may explain the prostitution that exists.

Prostitution per se is not illegal, but the Penal Code prohibits people from profiting from the prostitution of others (pimping). In recent years there has been a rise in the number of so-called "massage institutes", which sell sexual services. It has often proved difficult to find the persons directing such activities. Action taken against the "institutes" most often affects the women who work there rather than the entrepreneurs. The authorities will now make a new effort to prevent such activities by presenting a proposal for an Act prohibiting the rental of property for brothel activities. The proposal is expected to be debated by the Storting in the course of the next year.

Assistance for prostitutes is provided through the ordinary welfare services and through outreach programmes aimed at street prostitutes. In 1994, the Ministry of Health and Social Affairs established a national centre of expertise, the Pro Centre, to develop methods for working with prostitutes (of both sexes), provide guidance for the welfare services, disseminate general information and develop preventive strategies.

In 1994, the Ministry of Health and Social Affairs has also provided financial support for the prostitutes' organisation, PION, for a trial period. The purpose of this project is to test new methods for providing male and female prostitutes working in massage institutes, in their own apartments, brothels etc., with various information, including information about welfare services which may help to motivate them to leave prostitution.

Telephone sex

In 1990, Norwegian Telecom established "Teletorg", a telemarketing service provided through the public telephone network. This service was exploited to promote telephone sex services, including taped sex stories and "live" conversations with sex hostesses. There is also evidence that the Teletorg service has been used to advertise and promote child sex.

Regulations have now been introduced for the purpose of preventing the sexual exploitation and harassment of women through the Teletorg service

"Topless" waitresses

In winter 1992/93 a number of restaurants and bars opened in Oslo and other towns using topless waitresses and striptease shows as the main attraction. Strong reactions from women's organisations, hotel and restaurant workers' unions and politicians from various parties engendered considerable negative publicity for these activities, which has led to most premises closing down.

Pornography

The Norwegian Penal Code prohibits the publication, sale, rental or other distribution of indecent or pornographic materials. This provision has been amended several times in recent years. The Government has been particularly concerned to prevent the spread of serious, brutalising pornography, particularly pornography using children, animals, violence, force and sadism. As part of the effort to prevent child pornography, the possession and import of child pornography were totally prohibited in 1992.

ARTICLE 7

Article 7 (a) - (c). Women in political and public life

Women in government

When Prime Minister Gro Harlem Brundtland formed her first government in 1986, women were appointed to 8 of 18 ministerial posts. This example has been followed by later governments. In the current Labour Government, also headed by Gro Harlem Brundtland, 8 of 19 ministers are women, i.e. 42 per cent female representation.

Woman President of the Storting

The post of President of the Storting ranks highest in the country after the King. After the 1993 general election, a woman was appointed to this post for the first time.

The representation of women on publicly elected bodies

National and local government elections are held alternately every two years. The number of women serving on these bodies has risen strongly over recent decades, mainly due to campaigns to persuade more women to enter politics, and due to the fact that some major political parties have introduced quota systems to ensure that women are represented in party organisations and on lists of candidates.

After the 1993 election, 39.4 per cent of representatives in the Storting are women, a rise of 4 per cent compared with the 1989 election.

After the local government elections in 1991, the proportion of women on municipal and county councils dropped somewhat - from 31.2 to 28.5 per cent in municipal councils and from 4.6 to 38.6 per cent in county councils respectively. Prior to the 1991 election, the women's campaign had concentrated on a minority of municipalities where women were particularly underrepresented. As a result, the proportion of women in these municipalities rose, although it fell at the national level.

In connection with the 1995 local elections, a new campaign will be implemented with a view to increasing the proportion of women on municipal and county councils.

The Sameting, the elected assembly of the Sami people, was established in 1989. The Sameting is elected by the Sami population and consists of 39 representatives. In the two electoral periods since the Sameting was established, one third of the representatives have been women.

Official committees, boards, councils etc.

The Gender Equality Act §21 lays down that at least 40 per cent of each gender shall be represented on official committees etc.. When nominating candidates, both a man and a woman shall be proposed. In special cases, when it is clearly unreasonable to expect these requirements to be fulfilled, an exemption may be granted.

From 1989 to 1993, the average proportion of women on government committees, boards and councils etc. rose from 35 to 39 per cent. However, there are strong

variations in gender distribution, depending on the field involved and which ministry has appointed the body. Several ministries responsible for traditionally male-dominated areas have less than 30 per cent women representatives on their committees. Gender distribution also varies considerably according to the type of appointment concerned. In 1993 only 21 per cent of committee chairpersons were women.

The average proportion of women on municipal committees rose slightly from 36.1 per cent after the 1987 local election to 36.4 per cent after the 1991 local election. In almost one third (135 of 439) of municipalities women's representation on committees has reached 40 per cent. Also in the municipal sector, however, the representation of the sexes varies according to area of activity and type of appointment concerned. Women are clearly in the minority as chairpersons, and on average they only have 30 per cent representation in the technical and commercial sectors.

The average proportion of women on county committees rose from 36.4 per cent after the 1987 election to 37.7 per cent in 1991. In almost half the counties (7 of 18) women's representation on committees has reached 40 per cent.

Women in public office

Women have the same formal opportunities as men to be appointed to public office. Women account for a clear majority of public sector employees.
The proportion of women employees in the central government administration (the ministries) is generally high; depending on the ministry concerned, the percentage varied from 70 to 41 in 1992. In a majority of ministries, over half the employees are women. However, the proportion of women in leading positions is still low, particularly at the highest levels. Only 11 per cent of director generals and 16 per cent of secretary generals were women.

Over 70 per cent of municipal employees in 1991 were women. However, this was not reflected at management level, where women accounted for 56 per cent of posts.

Non-governmental organisations

Political and public influence are also exercised to a large extent through

non-governmental organisations.

Approximately half the adult Norwegian population participates actively in one or more organisation. There has been a slight increase in women's participation organisations since 1980, while the trend for men seems to have been declining. Generally speaking, more women than men belong to humanitarian and religious organisations, while men account for a larger proportion of members in trade unions, sector and professional organisations and political parties.

Employees' organisations have a considerable influence on Norwegian political life. Among other things, they are important elements of many official committees, boards and councils etc. Trade unions have the highest number of members in Norway today. In 1991, 35 per cent of Norwegian women and 39 per cent of Norwegian men were members of a trade union. However, only approximately one quarter are active members. Men are generally more active then women, and they hold the highest positions in employees' organisations.

Women's organisations have initiated and promoted gender equality efforts in Norway since the Norwegian Women's Rights Association organised the campaign for women's electoral rights at the end of the last century. In 1991, 6 per cent of Norwegian women were members of women's organisations. These organisations influence public policies at both national and international levels.

Women's organisations are primarily run on the basis of membership fees and voluntary work. Funds are also allocated annually for information measures related to gender equality policy, and for the international work of women's organisations. In addition, the Government provides a certain amount of funding towards the operating costs of national women's organisations whose main aim is to "work to improve the situation of women in society by changing the current division of rights and obligations in the private and public sectors of society".

ARTICLE 8

The Gender Equality Act § 21, relating to the representation of both sexes on official committees etc., also applies when appointing delegations to international forums.

The representation of women in the foreign service is lower than in the central administration as a whole, but has increased considerably in recent years. In 1992, just over one third of employees at the Ministry of Foreign Affairs were women. Only one sixth of the top posts were held by women.

In the last decade, women in particular have been encouraged to apply for traineeships in the foreign service, and the proportion of women trainees has risen to approximately 35 per cent.

ARTICLE 9

The Norwegian Nationality Act of 8 December 1950 No. 3 has not been amended since Norway's third report to CEDAW (1987-1990). The reader is therefore referred to the description of Norwegian nationality rights contained in that report.

The Immigration Act regulates the access of foreigners to the realm and their residence in Norway. The Act is gender-neutral. Pursuant to the Act's regulations, however, a foreign woman who would not otherwise have the right to a residence permit after a divorce etc. may be granted a residence permit if, as a result of the divorce, she would have unreasonable difficulties in her home country owing to the social and cultural conditions in that country. If the woman is able to substantiate a claim that she or her children have been abused, a residence permit shall be granted. This rule is intended to prevent foreign women from feeling forced to remain in impossible marriages in Norway for fear of being returned to their home country.

ARTICLE 10

Article 10 (a) - (h). Education

Equality in the educational sector

Upper secondary school

In 1992, just under 50 per cent of the total number of pupils in upper secondary school were girls, and the number of girls choosing to enter upper secondary education after lower secondary school continues to rise.

Girls are choosing untraditional forms of education to a greater extent compared with 10 years ago, but there have been no significant changes since the last report. A clear majority of girls in upper secondary schools continue to choose branches that qualify them for higher education. Also, more girls than boys choose studies which qualify them for higher education. Since the end of the 1980s, this has led to women being in the majority at institutes of higher education.

Girls who enter vocational upper secondary education continue to choose fairly traditional subjects, although women are now represented in all vocations. The proportion of girls attending traditionally male-dominated trade and industrial courses remained stable at about 15-16 per cent during the decade up to 1992. Boys are more strongly represented in home economics, handicrafts and aesthetic subjects than before. In the case of health and social subjects, boys still did not account for more than approximately 6 per cent of pupils in 1992.

University and college education

The majority of those pursuing studies leading to higher education in the 1980s were women. This fact has affected the recruitment of women to the university and college sector. In 1992, a clear majority of students were women. However, surveys show that women still take shorter university and college courses than men. In 1992, 60 per cent of students taking lower-level examinations were women (levels I and II - examen philosophicum, grunnfag, mellomfag and cand. mag. (roughly the equivalent of a

Bachelor's degree)), while women accounted for 40 per cent of those taking higher-level examinations (level III - hovedfag (roughly the equivalent of a Master's degree)). Only 24 per cent of these who took examinations at research level were women.

The trend during the last reporting period (1987-1990) for women to increasingly choose male-dominated higher studies has stabilised somewhat. The proportion of women at traditionally male-dominated colleges like the Norwegian College of Agriculture, the Norwegian College of Economics and Business Administration and the University of Trondheim College of Advanced Technology is approximately the same as during the last reporting period. In 1992, women accounted for 47, 34 and 34 per cent of students at these establishments respectively.

Men seem to avoid traditional studies more than women do. The percentage of men at teacher-training and social service colleges is lower today than it was 10 years ago. However, current trends indicate that the proportion of men choosing these fields is once again on the rise.

Thirty-six per cent of college teachers in the academic year 1990-1991 were women, while only 20 per cent of university teachers were women. The proportion of women professors doubled from 1981 to 1991, but they nevertheless account for only 8 per cent of the total number.

Measures to promote the goals of the Convention

Primary, lower secondary and upper secondary schools

During the current reporting period, the Storting passed the so-called "Reform '94" programme, which gives all young people between the ages of 16 and 19 the right to three years of upper secondary education. This three-year education either leads to vocational qualifications or qualifies students for higher education.

The reform is expected to be particularly important for young girls. Approximately half of upper secondary school pupils are girls, but two thirds of all young people who do not gain a place in upper secondary school after completing lower secondary school are also

girls. A guarantee of three years' upper secondary education will therefore contribute towards a real improvement in women's educational opportunities.

Moderate quota arrangements for places in upper secondary schools have been practised since the beginning of the 1980s. In connection with "Reform '94", it will also be possible to introduce quotas for apprenticeships in areas where boys and girls are unevenly distributed. Many young girls who have chosen male-dominated vocational training have found it difficult to obtain an apprenticeship. In addition, they have suffered the disadvantage of being women in a male-dominated trade, which has made it even more difficult to complete a vocational education.

There has been a clear increase in the number of women teachers at primary, lower secondary and upper secondary schools in the 1980s. In the academic year 1990-1991, women teachers were in the majority in primary and lower secondary schools, while only one third of head teachers were women. In order to rectify the imbalance in the distribution of staff in leading posts, the authorities have prepared a special course programme for women wishing to qualify for leading posts in primary, lower secondary and upper secondary schools.

Throughout the 1980s, efforts have been made to promote gender equality in the educational system, e.g. in the form of measures to raise teachers' awareness of gender roles and gender equality issues, measures to motivate women to apply for leading posts in schools, teaching aids that cover women's and gender equality policy topics, improving the gender equality perspective in school textbooks, and educational material and information on career choices. The effect appears to have been rather varied. An evaluation of gender equality efforts in primary, lower secondary and upper secondary schools has been initiated.

While the gender equality perspective has a clear place in school textbooks, it is still vitally important to provide primary and secondary school teachers with knowledge about gender equality related to various subjects and cooperation in schools. Nord-LILIA is a the name of a project being carried out under the auspices of the Nordic Council of Ministers, the purpose of which is to strengthen the gender equality perspective in the

content and method of teacher training.

Universities and colleges

The recruitment of women to higher education is also a matter of improving external conditions and enabling them to combine studies with family life and raising children. The provision of child-care places reserved for students families is important in this connection; 1,600 child-care places were established in 1992, and it is expected that a further 500 will be established in 1994.

Moderate quota systems have also been used to recruit women to higher education and to academic posts. Earmarking a certain number of professorates for women has proved to be successful.

In the period 1989-1994, the Research Council of Norway has conducted a programme of basic women's research with a view to strengthening recruitment and improving expertise in the field of women's research.

The Women's University, established in 1983, is an institution based on feminist values and feminist educational methods. Its purpose is to be an alternative educational institution for women. The foundation receives government grants.

ARTICLE 11

Article 11.1. (a) - (c). Employment

Economic activity

After the expansive period in the labour market at the beginning of the 1980s, the number of employed persons has been declining since 1987. This has not affected women as much as men, since most jobs have been lost in typically male-dominated sectors in the industrial, building and construction and primary industries sectors. During the same period, there has been a rise in the number of jobs in female-dominated sectors such as health and social services and education. In spite of a drop in the employment figures from 2,030,000 in 1990 to 2,004,000 in 1993, the number of employed women

remained at around 915,000 during this period.

The percentage of employed women remained relatively stable from 1990 to 1993, while the percentage of employed men dropped by 2-3 points.

Table 1. Percentage of employed men and women, 1990 and 1993

	25 - 66		16 - 74	
	Men	Women	Men	Women
1990	83,3	70,0	71,8	59,4
1993	81,2	70,4	69,1	59,1

The number of people whose main occupation is unpaid in the home is declining. In 1990 there were 193,000 persons and in 1993 152,000 persons, 149,000 of whom were women.

In 1993 there were 127,000 registered unemployed, 50,000 of whom were women. The number of registered unemployed women was equivalent to 5.2 per cent of the workforce, while the number of registered unemployed men was equivalent to 6.6 per cent of the workforce. Non-registered unemployment, including part-time unemployment, is probably higher among women. When this is taken into account, unemployment is assumed to affect women to approximately the same extent as men.

Working hours

Almost half (47 per cent) of all women in paid employment work part-time, i.e. from 1 to 36 hours per week. This figure has remained relatively stable in recent years.

The largest proportion of women working full-time are in the 25 - 29 age group, while the increase in the number of women working full-time is highest in the 30-39 age group, having risen by 10 - 12 per cent in the period 1980-1991.

The number of hours per day spent on unpaid housework is almost twice as high for women as for men, although there was a slight trend towards equalisation in the period 1990–1993. Women spend considerably more time than men on unpaid housework, also in cases where both spouses are in full-time employment.

Career choice and opportunities for employment

There are clear differences between men's and women's choice of career, and there have only been small changes in the proportion of women in the various sectors since the last report. In 1993, a majority of women were employed in the public, social and private service sector (54 per cent) and in retailing, hotels and restaurants (20 per cent). In 1993, 8 per cent of women worked in the industrial sector, compared with 9 per cent in 1990.

	1990		1993	
	Men	Women	Men	Women
Agriculture, forestry, fishing and hunting	8	4	8	3
Petroleum production, mining, hydro-electric power, building and construction	15	2	13	2
Industry	21	9	20	8
Retailing, hotels and restaurants	15	21	15	20
Transport, storage, postal service, telecommunications	10	5	10	5
Banking, insurance, commercial services, property	7	7	8	7
Public, social and private services	24	51	26	54
Total	100	100	100	100

Article 11.1. (d). Remuneration

Trends in remuneration

A survey of women's and men's pay since 1970 shows a strong trend towards equalisation in all sectors throughout the 1970s. This trend continued in the 1980s as a whole, although it stagnated during certain periods and was even reversed in some sectors. At the beginning of the 1990s the trend was once again positive.

Today, the average Norwegian women's wage (including national insurance benefits) amounts to approximately half the average men's wage. These differences are partly due to the fact that women spend less time than men in paid employment - they do more part-time work and less overtime than men. If we compare women and men working full-time, the difference in pay is just over 20 per cent.

Many studies have been carried out to discover the significance of various factors affecting this difference in pay. One of the major factors is the segregated labour market, i.e. women and men work in different occupations, sectors and positions. Other factors include education, working hours and management responsibility. If we eliminate these various factors, we are still left with a difference of approximately 14 per cent, which is partly due to the effect of working in a female-dominated occupation and partly due to internal factors such as the attitude of the employer to gender equality and women's comparatively low involvement in trade union activities.

Women's pay covers a narrower range than men's. Women are rewarded less for their educational qualifications than men. More women than men work in the public sector, while both genders are better remunerated for their educational qualifications in the private sector.

Future measures

Equal pay has priority in current gender equality efforts, and is one of the priority areas of official gender equality policy in the 1990s. The authorities have implemented and

are planning various measures to achieve this goal:

1. Amendments to § 5 of the Gender Equality Act – the provision relating to remuneration – are being prepared with a view to improving the usefulness and effect of this provision (see articles 1 – 5 for further details).

2. Although work evaluation is not a method for determining pay in Norway under the law, a group of experts will be appointed to develop a simple method of evaluating work that can be used to compare pay across occupational boundaries. This method will be used in implementing the Gender Equality Act and is also supposed to be useful for the social partners in their efforts to promote equal pay.

3. The Gender Equality Act provide guidelines for efforts to achieve equal pay, but the goal will only be achieved when the social partners give priority to this issue in binding agreements. However, the authorities can influence developments towards equal pay through public education, research and pilot projects to test various methods.

4. The public authorities have a particular responsibility for implementing the principle of equal pay. Gender equality is a priority area of the Government's personnel policy. Gender equality must be integrated in all areas where the State is the employer. With the new pay system's open criteria for the evaluation of pay and jobs, it may be more difficult to disguise the contribution of women when the pay budget is to be distributed. The implementation of equality measures will be one of the performance requirements for public sector managers, especially important regarding human resources development with a view to recruiting more female managers.

5. Research on equal pay has priority in the ministries. A four-year Nordic project under the auspices of the Nordic Council of Ministers will be completed in 1994. The project has greatly improved the dissemination of information about equal pay and placed the issue on the agenda.

6. Pay is closely related to other factors of working life, such as working conditions, the /...

working environment and opportunities for individual development. In connection with a research programme concerning the working environment and occupational health problems, projects will be implemented in female-dominated occupations as part of the efforts to eliminate the obstacles to equal pay.

Article 11.1. (e). Social security

The Norwegian regulations concerning pensions related to unemployment, sickness, invalidity and old age do not discriminate between the sexes. Provisions relating to benefits in connection with pregnancy and childbirth do, however, discriminate.

The Norwegian National Insurance Scheme guarantees a minimum pension for all. National insurance benefits are closely connected to former earnings and individual insurance contributions. Since women, on average, earn less than men and are responsible for a large proportion of unpaid care services, they generally receive lower benefits than men.

Today this particularly affects many older women who have worked full-time in the home or only been employed in part-time occupations. Younger women on social security benefits also receive low payments if they have chosen to stay at home when their children were small.

The proportion of people living on minimum pensions, i.e. those who have not earned additional social security benefits through paid employment, is declining steadily, but the proportion of women on minimum pensions is increasing. In 1991, 70 per cent of persons on minimum pensions were women. The differences between average pensions for women and men have also increased.

In order to remedy the systematic gender difference in social security benefits, in 1992 supplementary pension rights were given on the basis of unpaid care of children under the age of 7 and the elderly, sick and disabled. The new system gives people a better opportunity to take responsibility for care in the family during periods when this is necessary without incurring financial loss when they retire.

The provisions are not retroactive, and during a transitional period women working at home will continue to accumulate lower supplementary pensions than men. This will particularly affect divorced middle-aged and older women. In order to improve the financial situation of such women, it has been proposed that spouses' pension rights shall be divided in the case of divorce. An interdepartmental working group has been appointed to study the possibilities for this solution in further detail.

Article 11.1. (f). The working environment

Sexual harassment

Sexual harassment at the workplace is a problem that has received considerable attention in Norway in recent years, particularly by the trade union movement.

Sexual harassment is usually defined as improper sexual attention, and may include everything from comments with sexual connotations and pornographic pictures at the workplace to punishable offences such as rape.

Sexual harassment at the workplace primarily affects women. Surveys indicate that women at male-dominated workplaces are the most vulnerable, while women at workplaces where the sexes are equally distributed are the least vulnerable. The harassers may be colleagues, superiors, employers, customers or clients.

At present there are no laws explicitly prohibiting sexual harassment, but certain provisions of the Penal Code apply in the more serious cases, such as rape and attempted rape.

In the proposal for the revised Working Environment Act, due to be presented in 1994, a provision has been suggested that will prohibit harassment and other improper behaviour at the workplace, including sexual harassment. The employer is responsible for solving this type of conflict.

Article 11.2. (a) - (b). Work and pregnancy/maternity/adoption

The right to leave of absence in connection with pregnancy, maternity and adoption is regulated through a two-track system; the rules concerning leave of absence pursuant to the Working Environment Act and the rules concerning the right to benefits pursuant to the National Insurance Act.

Leave of absence

Maternity leave has been expanded considerably in recent years, from 18 weeks in 1986 to 42 weeks with full pay or 52 weeks with 80 per cent pay in 1993. At least 3 and maximum 12 weeks must be taken prior to the birth. In the case of multiple births, the mother has the right to an additional two weeks' paid leave, or three weeks with 80 per cent pay for each additional child. In 1993, leave in connection with the adoption of a child under the age of 15 was also extended to one year.

In the proposal for the revised Working Environment Act, it has been suggested that each parent shall have the right to one year's unpaid leave in addition to the paid leave period (see below for further details). Single employed parents will have the right to two years' unpaid leave. The intention is to give parents increased opportunities for being with their children during their first years, and unpaid leave must therefore be taken as a direct continuation of paid leave. Since one of the years has been reserved for the father, men are encouraged to participate more in the care of their children.

Benefits during parental leave (maternity benefits)

In order to receive a maternity benefit, the mother must have worked for 6 of the last 10 months before the birth.

Since 1978, fathers have also had the right to paid parental leave. Apart from the first six weeks after the birth, which have been reserved for the mother, the father may take the remainder of the paid leave. The father's right to paid leave is dependent upon the mother's; i.e. a condition for the father's leave is that the mother fulfils the conditions for obtaining maternity leave. Also, the size of compensation depends upon the fraction of time the mother has been working, i.e. if the mother works half-time, the father's

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compensation will be reduced accordingly. However, the father has the right to compensation based on his own salary.

Few fathers have utilised the right to share parental leave up to now. In 1992, only 2 per cent of fathers took parental leave over and above the two weeks everyone is entitled to in connection with childbirth. There is increased understanding of the importance of fathers participating in the care of their children, and measures are being studied to persuade fathers to increase their participation in this area.

The father's quota

Since April 1993, four weeks of the paid parental leave have been reserved for the father. If the father does not make use of these weeks to care for the family, the family - with few exceptions - will lose them. Figures from the National Insurance authorities show a significant increase in payments of parental benefits to men during the first few months of 1994 in comparison with the previous year. This indicates that many fathers have utilised their right to four weeks' paid leave.

Lump-sum grants

Mothers who have not accumulated the right to paid maternity leave, e.g. housewives and students, have the right to a lump sum grant in connection with birth. In 1994 the grant amounts to NOK 23,275, and has more than doubled since 1991.

The time account scheme

The time account scheme came into force in July 1994. The time account enables employees with children to combine parental leave with reduced working hours. Parents can therefore work part-time for a shorter or longer period with full pay compensation (or 80 per cent compensation), and in this way extend the period during which they receive parental benefits. The time account must be used within two years after the recipient of benefit returned to work.

Each individual employee will have to make an agreement with the employer on the period for which the time account will run, thus ensuring flexible arrangements adapted to the individual family.

Both mother and father may utilise the time account scheme. They may also do so at the same time. The scheme does not cover self-employed persons, free-lancers or the unemployed.

Protection from dismissal in connection with pregnancy and maternity leave

A pregnant employee may not be dismissed for this reason. If dismissal takes place while an employee is pregnant, the employer must prove that the dismissal is due to causes other than pregnancy.

Nor may an employee who is on leave due to childbirth or adoption be given notice effective during the leave period. If an employee is given notice during the leave period, the period of notice will therefore begin only after the leave period has been completed.

Article 11.2. (c). Child-care services

A well-developed, well-functioning public child-care service is an important precondition if women and men are to have the same opportunities for paid employment and participation in political and other areas of the nation's life. A public child-care service is therefore a basic precondition for gender equality.

The most important services are day-care centres and extracurricular activities for school-age children. From 1997 Norway will have compulsory schooling from the age of six. At present Norwegian children start school in their seventh year.

Day-care centres

Day-care centre coverage has increased rapidly in recent years. While it was 34 per cent in 1990, it had risen to 46.5 per cent by 1993. Coverage is lowest for the youngest age groups and highest for 6-year-olds.

The Government's goal is for all families who so wish to be offered day-care places in

the course of the 1990s. There are plans to increase the number of day-care places by 11,000 in 1994, and training capacity for pre-school teachers is being expanded.

Up to now, the Government has concentrated on developing day care services for children over the age of three. Coverage in this group is now much improved, and will be further strengthened when the compulsory school-starting age is reduced to six years. In order to increase the provision of day-care places for infants (0 - 3 years old), the Government will promote the expansion of family day-care centres.

The proposed new Act relating to Day Care Centres is expected to be debated by the Storting in autumn 1994. Among other things, it proposes more flexible opening hours at day-care centres which will enable families who need to do so to place children in day-care centres also late in the evening and at night. This will be especially important for single women who work in care and service occupations, and others whose working hours do not correspond with ordinary opening hours of the day-care centres.

Extracurricular activities

The school day for the youngest children (1st - 3rd grade) is considerably shorter than a normal working day. Many people therefore have a great need for day-care arrangements for a few hours before and after school hours. In the school year 1992/93, 27 per cent of 1st - 3rd grade pupils were offered extracurricular activities.

The need for extracurricular services will increase when the school starting age is reduced to six in 1997. In order to cover the need from 1997, the Government will continue the scheme of providing earmarked government grants for extracurricular activities.

Pay during absence due to children's sickness

Parents who are in paid employment have the right to pay when they are absent due to the necessary care of a sick child. Up to 1993, the right to sick pay applied until the child reached the age of 10. It has now been extended until the child reaches the age of 12. At the same time, the total annual period of paid leave was extended from 10 to 15 days for parents with more than two children (and from 20 to 30 days for single parents).

Employees with a chronically ill or handicapped child under the age of 16 may have the right to paid sick leave for 20 days per year (40 days for single parents).

ARTICLE 12

Articles 12.1 and 12.2. Health services

Women and men have the same right to health services, including family planning services.

All adolescents receive instruction about contraception at school. Women are offered contraception advice free of charge in connection with a medical check that takes place approximately six weeks after a birth.

Women have the right to free health services in connection with pregnancy and childbirth. Care services for pregnant mothers will be improved when municipalities are obliged to provide midwife services from 1995.

Norway introduced the right to self-determined abortion up to the twelfth week of pregnancy in 1979. If the mother's or the infant's life and health are in danger, or if there are special social reasons, an abortion may be granted by a board after the twelfth week of pregnancy. The number of abortions has fallen in the last four years. In 1993 the figure was 14,909, or 25 per cent of the number of live births.

HIV and AIDS

As of 31 December 1993 there were 1,337 registered HIV-positive cases in Norway, 311 of which were women. A total of 269 AIDS cases were registered. The number of people infected with HIV and AIDS in Norway appears to have stabilised.

In the period 1989-1993 there were 38 known cases of HIV-positive women bearing children. Nine of the children were infected with the HIV virus.

With a view to preventing HIV-positive mothers from infecting their children during

pregnancy and childbirth, all pregnant women have been offered HIV tests since 1987. The purpose is to give the woman the opportunity of terminating the pregnancy if she so wishes, and to provide the best possible medical and psycho-social follow-up if she decides to keep the child.

Violence against women and children

We refer to the previous reports from Norway to CEDAW concerning violence against women. Here we shall comment briefly on the most recent developments in the extent of violence against women and the measures the authorities have carried out to alleviate the problem since the last report.

Table. Number of reported and investigated sexual crimes; number of indictments.

	Total sexual crimes*		Rape		Incest	
Year	1990	1993	1990	1993	1990	1993
Reported	2217	2243	398	396	149	133
Investigated	1852	2232	376	379	103	134
Indictments	517	701	117	105	27	38

* This group includes rape, incest, indecent intercourse with minors, the distribution etc. of pornographic writings and other sexual crimes.

The number of reported sexual crimes has remained fairly stable during the period 1990-1994. In 1993, a larger proportion of the total number of sexual crimes were investigated and resulted in indictments in 1993 than in 1990. There has been a rise in the number of cases resulting in indictments.

There is a considerable amount of unreported sexual crime. Studies indicate that only approximately 10 per cent of rapes are reported.

Violence against elderly people is also a problem upon which there has been more focus in recent years. Studies in the Nordic countries show that between 2 and 4 per cent of elderly people, mainly women, are abused by close relatives.

During the current reporting period, the authorities have implemented new measures to combat sexual abuse and other violence against women and children.

The "Programme of Action against the Sexual Abuse of Children" was implemented in 1992-1993 . The four main priority areas of the programme were:

1. To strengthen and systematise the effort to prevent the sexual abuse of children.
2. To rationalise the effort to disclose, investigate and bring to court cases concerning the sexual abuse of children
3. To strengthen and coordinate welfare and treatment measures for children who have been exposed to sexual abuse
4. To improve the expertise of involved personnel and occupational groups who are frequently in contact with children and adolescents.

During the programme period, the authorities provided funding for the establishment of a separate ward for sexually abused children at a hospital paediatric department. This will continue in 1994 and be expanded into a national centre of expertise on sexual abuse.

In autumn 1993, the Government presented a report to the Storting relating to the sexual abuse of children based on experiences obtained from the Programme of Action.

The Ministry of Health and Social Affairs has also provided funding for three treatment projects for persons convicted of sexual crimes. These will be completed in 1994, after which a reference group will evaluate the projects and present proposals for the development of treatment services for sexual criminals.

In 1994, the Ministry of Health and Social Affairs, in cooperation with the Ministry of Justice and the Ministry of Children and Family Affairs, is in the process of establishing a special centre of expertise for the victims of violence. Its purpose is to contribute /...

towards disclosing domestic violence, shed light on conditions that create or conceal such violence, and propose measures to prevent and reduce domestic violence.

Two research programmes on the abuse of women and sexual violence have been carried out. The first (1986-1991) focused on women as the victims of violence. The second (1992-1996) focuses more on men as abusers and analyses relationships between abuser and victim, including relationships between men and children.

In addition to the above measures, in spring 1994 certain amendments were made to the Penal Code, the Courts of Justice Act, the Damages Act and the Criminal Procedures Act which will be of significance for women who have been exposed to sexual and other violence.

The right of the victim to information in connection with a possible indictment of the abuser and the right of access to case documents have been improved. The victim shall be informed whether an indictment has been preferred, and has the right to know the content of the indictment. During a court hearing, the court may decide that the accused shall leave the room while the victim is giving evidence. Rules have also been adopted to make police and court interrogations of the victim less of an ordeal, and strengthen the system of legal aid and the legal position of the victim with respect to compensation. The right of the court to prohibit persons from frequenting certain locations has also been extended. The purpose is to protect victims from being harassed and persecuted by particular persons, e.g. a former spouse or cohabitant.

As part of the effort to combat the sexual abuse of children, several provisions of the Penal Code were amended in 1992. Among other things, the maximum penalty for indecent intercourse with children was increased and the period of limitation for this crime was thereby extended.

Special courses on the investigation of sexual abuse cases were also established at the Police College in 1992. It is essential that the police, the prosecuting authority and other services in this area have the necessary expertise and cooperate with each other. Certain major sexual cases have increased both professional and political interest and the will to

improve efforts in this area.

Emergency centres and centres for the victims of incest are an important element of the apparatus to help women and children who have been the victims of sexual violence. The first emergency centre for abused and raped women was opened in 1978, while the first support centre for incest victims was opened in 1986. Today there are 51 and 14 such centres respectively. While the emergency centres only accept women and children, support centres exist for both male and female incest victims.

The centres are based on the principle of help for self-help and are mainly established and run by volunteers. Operating costs are largely covered by central and local government. Total official funding for such measures amounted to NOK 78 million in 1993.

Disabled women

There has been stronger focus on the situation of disabled women, and the authorities wish to implement measures to assist this group. The Government's programme of action for the disabled, 1994-1997 defines gender equality for disabled women as a separate measure in the prevention of injury and illness.

ARTICLE 13

Article 13 (a). Family benefits

Child benefit

Families with children under the age of 16 receive child benefit, a monthly sum, that is usually paid to the mother. The amount of the benefit is determined by the Storting each year. The size of the benefit received by each family is dependent on the number of children in the family . As of 1 January 1994, the benefit for one child was NOK 10,416 per year and for two children, NOK 21,336 per year. Single parents have the right to child benefit for one child more than they actually have. The level of the benefit increases progressively with the number of children up to 5 children.

Support for single parents

Single parents may receive a subsistence allowance through the National Insurance Scheme. Such support is usually provided until the youngest child has completed three years of schooling.

Support schemes for single parents are currently being reviewed. The Government wishes to provide a support scheme which to a greater extent ensures that single parents retain their ties with working life and society and prevents isolation and passivity. This may, among other things, be done by improving the child-care benefit scheme.

The reader is otherwise referred to information on national insurance and benefits in connection with pregnancy and childbirth under article 11.2. (a) - (b), and in connection with retirement pensions under article 11.1. (e).

ARTICLE 14

Just as in other legal areas, the rules concerning persons employed in the primary industries are non-discriminatory with respect to gender, that is, women and men have the same formal rights, e.g. social and economic rights.

Agriculture

Women and men born after 1 January 1965 have the same allodial rights. i.e. the right to inherit agricultural property. However, it is still mainly men who utilise their allodial rights. In 1992, 20 per cent of properties changing hands on the basis of allodial rights were taken over by women. This figure is expected to rise as the children born from 1965 onwards begin to take over their home farms.

Reindeer husbandry

Sami women have traditionally held a strong position regarding reindeer husbandry, but their position was somewhat weakened when so-called reindeer husbandry units were introduced in 1978, i.e. one reindeer husbandry unit was registered per family, whether or not both spouses owned reindeer. In most cases, the man was registered as the owner of the unit. This weakened the legal and financial position of female reindeer owners.

The Reindeer Husbandry Act is currently being revised. In the proposal for a new Act, the authorities wish to introduce the possibility of registering a reindeer husbandry unit in the names of two owners. In this way it will be possible to recognise the rights of female reindeer owners.

Fisheries

Of 26,752 registered fishermen in Norway in 1992, 699 were women. There has been a small rise in the number of female fishermen in recent years.

Women account for between 25 and 30 per cent of those employed in the fish-farming industry, and approximately 50 per cent of employees in the fish processing industry.

"The Committee for Women in the Fishery Sector" has initiated women's projects with a view to reducing emigration from fishing communities in remote areas. The projects are supported by the Ministry of Fisheries.

ARTICLE 15

Article 15.1. Equality before the law

Women and men have by and large the same formal rights under Norwegian law. Those exceptions that exist are associated with the different reproductive functions of women and men, and military service.

Military service is compulsory for men. Women have had the right to volunteer for military service since 1984. All training courses and all posts in the armed forces are open to women, including combat posts.

Women's special rights in connection with reproductive functions have been discussed under articles 11.2. (a) - (b), 12 and 13 (a).

Article 15.2. and 3. Legal capacity

Women and men have the same formal legal capacity under Norwegian law. Owing to certain factors, however, the situation of women in the judicial system is in practice somewhat weaker than that of men.

Economy is an important factor affecting a person's real opportunity for using the law and the judicial system to safeguard his or her rights. Men generally have better financial resources to pay for legal assistance than women.

The free legal aid scheme for persons with particularly low incomes and capital assets has therefore been important for women, particularly in cases related to separation and divorce, e.g. inheritance cases and maintenance cases. For a more detailed description of this scheme, the reader is referred to appendix A to article 15 in Norway's third report to CEDAW (1987-1990).

The legal aid scheme is currently being revised. Among other things, the Government intends to raise the income limits so that more of the country's households are included in the scheme. Today only 8 per cent of the country's households have a low enough income to qualify for free legal aid. When the scheme was introduced in 1981 it encompassed 27 per cent of households.

Legislation and the judicial system have traditionally been dominated by men and male values. This is also a factor that may have contributed towards weakening special women's interests. For example, there has been criticism of the fact that abuses of a person's integrity, such as rape and incest, which mainly affect women and children, are punished more leniently than many crimes of gain or narcotics.

As mentioned under article 12, in 1994 certain amendments were made to the Criminal Procedures Act to strengthen the position of crime victims. The rules are gender-neutral, but the rights they embody will primarily benefit women.

An increasing number of women are entering the police force, the prosecuting authority

and the courts of law.

The percentage of women in the prosecuting authority rose from 0 to 13 per cent in the period 1980 -1992. During the same period, the proportion of women judges rose from 6 to 13 per cent and the proportion of women lawyers in private practice from 4 to 10 per cent. The proportion of women in the police force rose from 4 to 11 per cent during the decade from 1981 to 1991.

The proportion of women in these professions is expected to continue to rise. In 1992, approximately 54 per cent of law students were women; 33 per cent of those graduating from the Police College in 1993 were women.

ARTICLE 16

Article 16.1. Marriage and family relations

The Marriage Act

Under Norwegian law, women and men have the same right to choose a spouse freely and only enter into marriage voluntarily. Spouses have the same formal rights during the marriage and if the marriage is dissolved.

A new Marriage Act was passed in 1991 and came into force on 1 January 1993. The basic outline of the previous legislation remains, but changes have been made on certain major points.

The former Marriage Act did not give spouses the unconditional right to separation and divorce. According to the new Act, each spouse may request a divorce on the grounds that he or she finds it impossible to continue the marriage. It is not necessary for both spouses to agree. According to the previous Act, anyone desiring a divorce had to agree to compulsory arbitration by a minister of the church or some other arbitration body. Today this is only compulsory for couples with common children under the age of 16.

Both spouses have an obligation to contribute towards the economic support of the

family. The new Act states clearly that unpaid work in the home and income from paid employment are equally valuable contributions towards such support.

In the case of separation or divorce, the main rule is that everything that is jointly owned by the couple shall be shared equally between them. However, the rule in the new Marriage Act concerning unequal division is an important exception. Unequal division means that each spouse has the right to withhold values equivalent to what he or she brought into the marriage or has later acquired through inheritance or gift from persons other than his or her spouse. The right to unequal division may not apply if such division leads to an obviously unfair result. Factors to be considered when evaluating what is obviously unfair include the duration of the marriage and unpaid work in the home.

The Partnership Act

Norway introduced a Partnership Act in 1993, being the second country in the world to do so. Under the Act, two homosexual persons of the same sex have the right to enter into a registered partnership with each other.

Two persons who have entered into a partnership may not adopt a child together. Nor may one of the partners adopt the other partner's child. Artificial insemination is offered only to married couples. With the exception of adoption and a church marriage, a registered partnership carries the same rights as marriage.

From the time when the Act came into force in August 1993 and up to the end of the year, a total of 154 partnerships were registered, one quarter of which were between women.

Parents and children

Information concerning the rights and obligations of parents in relation to their children is to be found in the description of the Children's Act of 1981 in Norway's third report to CEDAW (1987-1990).

The Children's Act is being reviewed in order to find out whether it satisfies current requirements relating to parental equality as regards both care and economic

support.

Article 16.2. Marriage entered into under coercion

The former Marriage Act contained provisions concerning the right to demand the annulment of a marriage that was entered into without the consent of one or both of the parties. In practice, however, coerced marriages have not been a problem in Norway. It was therefore not regarded as necessary to include a similar provision in the new Marriage Act.

Recently, however, there have been examples of marriages entered into under coercion in Norway. Arranged marriages are normal in many cultures. This may present a problem for young people who have grown up in Norway with parents from other cultural backgrounds, and who are sent to their parents' home countries to marry a partner chosen by the family.

On this basis, in 1994 provisions were included in the Marriage Act whereby each of the spouses may bring legal action to have the marriage declared invalid if he or she has been coerced into marriage.